

MINUTES

INDIANA RESPIRATORY CARE COMMITTEE

JULY 18, 2008

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Konkle called the meeting to order at 10:00 a.m. in Conference Center Room 5, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana.

Committee Members Present:

Thomas Konkle, R.C.P., Chairman
Sally Park-Teelon, R.C.P., Member
Gary L. Smith, R.C.P., Member

Committee Members Absent:

Margaret Sullivan, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Kristine Yarde, Assistant Board Director, Professional Licensing Agency
Elizabeth Brown, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

SMITH/PARK-TEELON
Motion carried 3-0-0

III. ADOPTION OF THE MINUTES

A motion was made and seconded to adopt the minutes from the April 18, 2008 meeting of the Committee.

SMITH/PARK-TEELON
Motion carried 3-0-0

IV. APPEARANCE

A. Brian D. Jent, R.C.P.

Mr. Jent is an attorney with Hall, Render, Killian, Heath & Lyman which represents the American Academy of Sleep medicine (AASM) and the Indiana Society of Sleep Professionals (ISSP). He appeared before the Committee to get clarification regarding the Committee's statement at their April 18, 2008 meeting regarding administration and supervision of CPAP and BiPAP. At that meeting the Committee stated that CPAP/BiPAP set-up, administration, and titration are considered the practice of respiratory care. Mr. Jent stated this is an integral part of polysomnography which is not a regulated profession in the State of Indiana. The Committee told him that only those who have respiratory as a part of their scope of practice can perform those tasks. Mr. Jent asked where in

the law it states that and Mr. Konkle explained the Committee feels it falls under mechanical ventilatory support. Mr. Konkle stated that sleep technologists who hold an RPSGT certification can perform these tasks but other than that it must be within the professionals scope of practice. Mr. Jent noted that he does not want CPAP and BiPAP to be designated as mechanical ventilatory support only to be done by respiratory care practitioners and RPSGT's. Diane Miller-Wilson, president of the Indiana Society of Sleep Professionals, told the Committee that she is not opposed to regulation of sleep professionals but she feels respiratory care is trying to encroach on sleep technology.

Pat Ingle who was representing the Indiana State Respiratory Care Association stated the law was written as it was so that you may only perform a task if it is within your scope of practice.

V. APPEARANCES

A. APPLICATION

1. Patrick Ryan Baker

Mr. Baker appeared before the Committee, as requested, regarding his application for licensure by examination. On his application he answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" He told the Committee in June 2002 he was arrested and convicted of reckless driving. He stated he was pulled over for a license plate light that was out and was not driving recklessly but his BAC was .08 which is the legal limit and the officer could not charge an OWI. He has had no problems with the law since that event. Mr. Baker is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. Mr. Baker does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Mr. Baker's application for a respiratory license.

SMITH/PARK-TEELON

Motion carried 3-0-0

2. Jacqueline M. Brice

Ms. Brice failed to appear before the Committee, as requested, regarding her application for licensure by endorsement. This is the second time Ms. Brice has failed to appear.

Committee Action: A motion was made and seconded to deny Ms. Brice's application for a respiratory care license.

KONKLE/PARK-TEELON

Motion carried 3-0-0

3. Rhett F. Drinski

Mr. Drinski appeared before the Board, as requested, regarding his application for licensure by examination. On his application he answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty, or nolo contendere to

any offense, misdemeanor or felony, in any state?" He explained that he was involved in a car accident in December of 1999 and he was convicted of that OWI in July 2000. He also stated he was convicted of a second OWI in February 2008. He told the Committee he has completed an alcohol education program. Mr. Drinski is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. He does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Mr. Drinski a respiratory care license on Indefinite Probation with the following terms and conditions:

1. The Applicant's license as a respiratory care practitioner is placed on INDEFINITE PROBATION. He may request a hearing to withdraw probation after one (1) year from the date of this order and shall remain on probation until such time as the Committee withdraws the probation.
2. The Applicant's license to practice respiratory care is subject to the following terms of probation:
 - a. Applicant shall keep the Committee apprised of his home address, mailing address and telephone number.
 - b. Applicant shall keep the Committee apprised of his place of employment, employment telephone number and name of supervisor.
 - c. Applicant shall provide the Committee with a standing order from a physician for random urine tests for drug and alcohol use within 30 days from the date of this order.
 - d. Applicant shall provide the Committee with written documentation of his completion of the alcohol education program which was ordered following his most recent conviction.
 - e. Applicant shall attend three (3) AA or NA meetings per week and shall submit quarterly reports of attendance to the Committee. Reports shall indicate the location of the meetings, person in charge or contact person, dates and times of the meetings attended, and verification of attendance by a responsible member of the facility holding the meeting or other responsible attendee.
 - f. Applicant shall appear before the Committee when requested.
 - g. Applicant shall comply with all laws and rules regulating the practice of respiratory care as well as the general statutory provisions that apply to all the health professions.
3. The failure of Applicant to comply with the requirements of probation may subject him to a show cause hearing before the Committee and the imposition of further sanctions.

PARK-TEELON/SMITH
Motion carried 3-0-0

4. Alex J. Gloede

Mr. Gloede appeared before the Committee, as requested, regarding his application for licensure by examination. On his application he answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" He explained that he was cited for underage drinking in Wisconsin in April 2004. He met all the requirements of the court. Mr. Gloede is a 2008 graduate of Madison Area Technical College and has taken and passed the NBRC examination. Mr. Gloede does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Mr. Gloede a respiratory care license.

PARK-TEELON/SMITH
Motion carried 3-0-0

5. Vickie Lynn Perry

Ms. Perry appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" Ms. Perry explained she went down the wrong path in life for many years and during that time she was convicted of Driving under the Influence of Alcohol in 1986, 1991, 1998, and 2005. She stated after losing her sister to cancer in 2005 she realized that she needed to change her life. She is an active member of AA and has attended at least two meetings per week for the last two years. Ms. Perry is a 2007 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Perry a respiratory care license.

PARK-TEELON/SMITH
Motion carried 3-0-0

6. Ashleigh Michelle Shapinsky

Ms. Shapinsky appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" She explained in February 2007 she was issued a citation for conversion after being accused of taking a credit card. She told the Committee it was a card she found in the break room at work and she put it in her pocket to take to lost and found but her pager went off and she ended up working most of her shift forgetting about the credit card. She explained the card looked like hers because it was the same bank and later that night at Walgreens she pulled it out to pay for a soda and the cashier noticed it was not her card. Ms. Shapinsky told the Committee how embarrassing the whole incident was and she paid a \$50.00 fine. Ms. Shapinsky is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Shapinsky a respiratory care license.

SMITH/KONKLE
Motion carried 3-0-0

7. Lindsey Ann Thome

Ms. Thome appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" She explained in May 2002 she was arrested for an OWI and completed all of the requirements

of the court. In February 2003 she was charged with Domestic Battery following an altercation with her boyfriend. She told the Committee that she is no longer in that relationship and has changed her life. Ms. Thome is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Thome a respiratory care license.

KONKLE/PARK-TEELON
Motion carried 3-0-0

8. Tiffany N. Wilcox

Ms. Wilcox appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #4 asking, "Are you now being, or have you ever been treated for drug or alcohol abuse?" She also answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" She explained that in April 2006 she was pulled over for not having her lights on and was arrested for a DUI. Ms. Wilcox is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Wilcox a respiratory care license.

KONKLE/PARK-TEELON
Motion carried 3-0-0

9. Chelsea Lynne Green

Ms. Green appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" She explained in August 2005 she was camping with her fiancé and she was caught possessing alcohol by DNR. She was nineteen years old so she was charged with Underage Consumption. She completed all of the requirements of the court. Ms. Green is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Green a respiratory care license.

KONKLE/SMITH
Motion carried 3-0-0

10. Christy Lee Gwyn

Ms. Gwyn appeared before the Committee, as requested, regarding her application for licensure by examination. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" She explained she pled guilty to check deception charges in January 2000. Ms. Gwyn explained that she deposited some checks in her bank and then wrote out her

bills. She began getting insufficient fund notices for the checks she wrote and learned that her deposit was not processed. She told the Committee that she never learned what happened to the checks she deposited and worked overtime to pay for the checks she wrote. She completed all of the requirements of the court. Ms. Gwyn is a 2008 graduate of Ivy Tech Community College and has taken and passed the NBRC examination. She does not hold a license at this time.

Committee Action: A motion was made and seconded to grant Ms. Gwyn a respiratory care license.

KONKLE/PARK-TEELON
Motion carried 3-0-0

B. PROBATION

C. RENEWAL

VI. ADMINISTRATIVE HEARINGS

A. State of Indiana v. Charles Anthony Hodges R.C.P., License No. 30005450A

Administrative Cause No. 2004 RCC 0015

Re: Order to Show Cause

Parties and Counsel Present:

Respondent was present and was not represented by counsel
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana
Sherri Rutledge, Court Reporter

Participating Committee Members:

Mr. Konkle (Hearing Officer)
Ms. Park-Teelon
Mr. Smith

Case Summary: The Respondent's license has been on Probation subject to certain terms and conditions since the Committee issued a Probation Order dated November 4, 2005. The Committee issued an Order to Show Cause on July 28, 2006 for the Respondent's failure to send in documentation in compliance with the terms and conditions of his probation. Respondent admitted on October 13, 2006 that he had failed to ensure that reports were sent to the Committee. On November 8, 2006 the Findings of Fact and Order on the Order to Show Cause ordered that the Respondent's license continue on Indefinite Probation subject to certain terms and conditions. One of the terms of the Probation Order states that the Respondent must submit quarterly reports of his attendance at weekly NA meetings. On July 1, 2008 the Committee issued another Order to Show Cause due to the Respondent's failure to submit his quarterly NA report which was due in May 2008. The Respondent told the Committee that he called the Indiana Professional Licensing Agency and asked the person who answered the phone if his quarterly NA report was received and that person told him it was. Respondent stated the next thing he knew he was getting a letter informing him of the Order to Show Cause. He stated the next day he hand delivered the reports to Cindy Vaught, the Board Director, upon receipt of that letter. Respondent stated he has been attending NA meetings but he gets nothing out of them and only attends because the Committee ordered it. Respondent told the Committee he has been clean for five (5) years and he is the sole supporter of his family. Respondent testified it is a hardship to attend these meetings because they

interfere with his work schedule. The Committee pointed out to him that the Order states he could have petitioned for a hearing to modify his required attendance at NA as long as he can provide proof he has been compliant with his attendance requirement. He asked the Committee not take away his ability to work because the loss of income and health insurance would be devastating to his family. The Respondent told the Committee he is working 140 hour pay periods at Rehab Hospital of Indiana and taking classes to get his bachelor's degree in Respiratory so that he can work in management. He stated perhaps he needs to cut back for his own well-being and to keep things from slipping through the cracks. The Committee expressed their displeasure with the Respondent's disregard of the Order. They noted that Respondent appeared at the last meeting for this issue and made it very clear to him that his reports have to be submitted on time or a more severe punishment would take place in the event another Order to Show Cause was issued. The Committee also noted this is not the first time the Respondent has had to come before them for non-compliance with the Probation Order. The State noted that this it is clear he violated the Probation Order and since it is a pattern for the Respondent the State recommended the Respondent be fined to demonstrate the seriousness of the matter and as a means to compensate for wasting the Committee and the State's time.

Committee Action: A motion was made and seconded to Suspend the Respondent's license for a period of thirty (30) days and was ordered to pay a FINE in the amount of five hundred dollars (\$500.00) within ninety (90) days of the issuance of the Final Order in this matter.

KONKLE/SMITH
Motion carried 2-0-1
Ms. Park-Teelon abstained

B. State of Indiana v. William M. Nichols, R.C.P., License No. 30003555A
Administrative Cause No. 2007 RCC 0004
Re: Complaint

Parties and Counsel Present:

Respondent was not present and was not represented by counsel
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana
Sherri Rutledge, Court Reporter

Participating Committee Members:

Mr. Konkle (Hearing Officer)
Ms. Park-Teelon
Mr. Smith

Case Summary: The State asked the Board to issue a Notice of Proposed Default in this matter since the Respondent did not appear for the hearing.

Committee Action: A motion was made and seconded to issue a Notice of Proposed Default.

KONKLE/SMITH
Motion carried 3-0-0

C. State of Indiana v. Richard S. Schlomer, R.C.P., License No. 30000946A
Administrative Cause No. 2004 RCC 0003

Re: Order to Show Cause

Parties and Counsel Present:

Respondent was present and was not represented by Counsel
Elizabeth Kiefner, Deputy Attorney General for the State of Indiana
Sherri Rutledge, Court Reporter

Participating Committee Members:

Mr. Konkle (Hearing Officer but he recused himself)
Ms. Park-Teelon
Mr. Smith

Case Summary: The Respondent's respiratory license was reinstated on Indefinite Probation subject to certain terms and conditions by a Committee Order issued August 1, 2007. Respondent is required to submit quarterly reports of his weekly attendance at three (3) AA/NA meetings. On May 16, 2008 the Committee issued an Order to Show Cause because the Respondent has violated his Probation Order by failing to submit quarterly reports that were due in November 2007 and February 2008. The Respondent admitted he was guilty of not submitting the reports but he brought them with him. He explained to the Committee he does attend three (3) meetings per week and sometimes more because he attends as a student and as a speaker. Respondent entered into evidence Exhibit "A", which is a letter from his pastor attesting to his attendance at all AA/NA meetings. The Respondent told the Committee he just wasn't clear how he was supposed to get the information to them. The Committee told him to make a log and record the dates of attendance and then have someone at the meeting initial it. The Respondent apologized for not doing it right and assured the Committee he would do as they suggested. The Respondent stated he is still doing continuing education and keeping up with things in the field but he is still looking for a respiratory job. He explained his past felony conviction is making it difficult. The State confirmed with the Respondent that he did read and understand the Order and he stated his sobriety date is July 2004. The State called Cindy Vaught as a witness; Ms. Vaught testified that the Respondent is compliant with all other terms of his probation.

Committee Action: A motion was made and seconded to Order the Respondent to pay a FINE in the amount of three hundred dollars (\$300.00) within ninety (90) days of the issuance of the Final Order.

SMITH/PARK-TEELON
Motion carried 2-0-1
Mr. Konkle abstained

D. State of Indiana v. Rachel Rena Smith, R.C.P., License No. 30004836A
Administrative Cause No. 2003 RCC 0054
Re: Order to Show Cause

Parties and Counsel Present:

Respondent was present and was not represented by Counsel
Heather Kennedy, Deputy Attorney General for the State of Indiana
Sherri Rutledge, Court Reporter

Participating Committee Members:

Mr. Konkle (Hearing Officer)
Ms. Park-Teelon
Mr. Smith recused himself

Case Summary: The Respondent's respiratory license was placed on Indefinite Probation subject to certain terms and conditions in an Order issued February 21, 2005. The Committee issued an order to show cause on May 16, 2008 because the Respondent failed to submit quarterly reports of her weekly attendance at AA/NA meetings for February, May, August, and November 2007 and February 2008. The Respondent told the Committee she has not been able to attend the meetings and had contacted Ms. Vaught by phone in 2007 to tell her this. She stated the last meeting she attended was in May 2007 and she had to quit because she became pregnant and was placed on bed rest. She told the Committee she delivered her baby at 24 weeks and her baby was in the hospital for five (5) months. She explained she had two other children to take care of and her newest child has special needs. The Respondent stated she works full-time at St. Vincent and Reid Hospitals and is currently going through a divorce. She testified that she no longer found the AA/NA meetings helpful and she would like that requirement to be removed from her Probation Order. The Committee explained she would have to petition for a hearing in order to modify the Probation Order. The State noted that Respondent admitted to being in violation of her Probation Order but they did not make a recommendation to the Committee about how to proceed. It was noted that the Respondent is compliant with all the other terms of her Probation Order.

Committee Action: A motion was made and seconded to Order the Respondent to pay a FINE in the amount of one-hundred dollars (\$100.00) within ninety (90) days of the issuance of the Final Order.

KONKLE/PARK-TEELON
Motion carried 2-0-1
Mr. Smith abstained

VII. NOTICE OF PROPOSED DEFAULT/DISMISSAL

A. State of Indiana v. William P. Vaughan, R.C.P., License No. 99026963A Administrative Cause No. 2008 RCC 0001

Parties and Counsel Present:

Respondent was not present and was not represented by Counsel
Heather Kennedy, Deputy Attorney General for the State of Indiana
Sherri Rutledge, Court Reporter

Participating Committee Members:

Mr. Konkle (Hearing Officer)
Ms. Park-Teelon
Mr. Smith

Case Summary: The State asked the Committee to find the Respondent in default because he did not respond to the Notice of Proposed Default.

Committee Action: A motion was made and seconded to find the Respondent in default.

KONKLE/PARK-TEELON
Motion carried 3-0-0

The State recounted for the Committee testimony that was heard from two (2) witnesses at the last hearing before the Committee April 18, 2008. The State provided a synopsis of the Respondent's employment history noting that he had been

investigated at other hospitals and in other states for remarks he made to co-workers and patients. The Respondent was allowed to resign from all places of employment and in North Carolina he was allowed to surrender his license in lieu of disciplinary action being taken by the Board. The Respondent applied for an Indiana license on May 10, 2007. On his application he indicated he had lived in Virginia from 1997 until 2007 but his last known address prior to moving to Indiana was in North Carolina. Respondent further stated on his licensure application that his last place of employment was at Rappahanneck General Hospital in Kilmarnock, Virginia as a staff therapist from July 2005 until November 2005. However, the Respondent worked at Forsyth Medical Center in Winston-Salem, North Carolina from February 12, 2007 until March 27, 2007. Respondent also answered all questions "no" on his Indiana application which ask about past disciplines or terminations. The Respondent worked at Marion General Hospital on a temporary permit from May 12, 2007 until June 19, 2007 at which time he resigned without being eligible for re-hire. The State said in support of Count I Respondent is in violation of Indiana Code § 25-1-9-4(a)(5) in that the Respondent has engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public was the testimony given by a witness who was a female patient at Marion General and was touched inappropriately by Respondent as he made off-color remarks, as well as the testimony from a supervisor at the hospital. In support of Count II that the Respondent is in violation of Indiana Code § 25-1-9-4(a)(1)(A) in that the Respondent has engaged in or knowingly cooperated in material deception in order to obtain a license to practice, the State entered into evidence exhibit #1 which was the Respondent's application for a temporary permit showing the misinformation he provided with regards to his employment. The State entered into evidence exhibit #2 which was an acceptance letter written by the Respondent for his employment at Forsyth Medical Center and his resignation letter he submitted to Forsyth on March 24, 2007. The State told the Committee that the Respondent has a history of job hopping and disappearing to avoid having a permanent record that other hospitals may learn about. The State asked the Committee to revoke his temporary permit and deny his application for a permanent license.

Committee Action: A motion was made and seconded to REVOKE the Respondent's temporary permit and DENY his application for an Indiana license as a respiratory care practitioner.

KONKLE/SMITH
Motion carried 3-0-0

VIII. VOLUNTARY SURRENDER OF LICENSE

There were voluntary surrenders before the Committee.

IX. SETTLEMENT AGREEMENTS

There were no settlement agreements.

X. OLD/NEW BUSINESS

A. Ms. Vaught informed the Board of the new building security measures that will be taken at the Indiana Government Center South. Everyone will need to enter the Indiana Government Center South building through the 302 West Washington Street entrance. You will need to go through the security measures in order to be admitted to the building

Ms. Vaught explained the new building security protocols will go into effect on July 21, 2008.

XI. DISCUSSION

A. Wendy Yates, Privacy and Compliance Leader Respironics Colorado, Inc.

The Committee reviewed a letter sent from Ms. Yates asking if Respironics employees who are licensed Respiratory Therapists are permitted to perform competency observation and/or testing on contracted Therapists even if the Respironics employees are not licensed in Indiana. The letter further indicated the Respironics Therapists do not touch the equipment or the patient when they are observing for competency. The Committee asked Ms. Vaught to write a letter stating this practice is allowable in Indiana because they are not actually practicing respiratory care.

XII. APPLICATION REVIEW

A. Endorsement

1. Angela Tolston

The Committee reviewed Ms. Tolston's application file by endorsement. Ms. Tolston is a 1988 graduate of Marion Adult and Career Center and passed the NBRC in 1989. She currently holds a license in the state of Illinois. Ms. Tolston wrote a letter advising the Committee that her transcripts from the Marion Adult and Career Center were not available because they were stored in a warehouse that flooded and they were destroyed. She did submit a notarized copy of her diploma and her file was otherwise complete.

Committee Action: A motion was made and seconded to grant Ms. Tolston a respiratory care license.

KONKLE/PARK-TEELON
Motion carried 3-0-0

B. Examination

There were no examination applications to review.

C. Credentials

There were no credential applications to review.

D. Temporary Permits

There were no temporary permits to review.

E. Student Permits

There were no student permits to review.

XII. PROBATIONARY REPORT

1. Tracy Hano

Gail R. Ofte-Atha, MS, LMHC, at the Center for Life Change, Inc., advised the Committee that Ms. Hano has successfully completed her need for therapy, as she has the requisite skills, values and support to address her own needs. Ms. Hano's

probationary order states that upon recommendation from her counselor therapy may be discontinued.

Committee Action: The Committee stated that therapy was no longer a required term of her probation.

2. James DeWitt

Mr. Dewitt is not in compliance with the terms of his probation. Mr. DeWitt has not submitted his supervisor's reports for January and June 2008.

Committee Action: A motion was made and seconded to issue an Order to Show Cause in this matter.

KONKLE/PARK-TEELON
Motion carried 3-0-0

XIII. CONTINUING EDUCATION

There were no continuing education applications for review.

XIV. OTHER ITEMS FOR CONSIDERATION

A. Nicholas Hurter

Mr. Hunter sent an email to the Committee requesting a waiver of part of the continuing education hours so that he can renew his expired license immediately. Mr. Hurter explained his Indiana license expired on December 31, 1996. He has been continuously practicing in the state of Kentucky since that time. He advised he could not get records of his CE prior to 2000 due to the fact his home was destroyed in a tornado. Mr. Hurter explained that he has no problem in retaking the NBRC examination and doing everything else that was required for renewal. The Committee stated for the staff to respond to Mr. Hurter's email and state that they will not grant a waiver for any of the continuing education hours.

B. Rule Readoption

Re: 844 IAC 11-2-1.1 Fees LSA 08-356

Ms. Vaught explained to the Committee that administrative rules expire every seven (7) years if they are not readopted. The Committee is required to review the rules to be readopted and determine that proposed rules do not impose any cost and requirements on small businesses pursuant to IC 4-22-2.5-3.1(C). The Committee is then required to make a recommendation to the Indiana Medical Licensing Board to readopt the administrative rules.

The proposed rules for readoption are 888 IAC 1.1-3 regarding fees which are listed below:

844 IAC 11-2-1.1 Fees

Authority: IC 25-1-8-2; IC 25-34.5-2-7

Affected: IC 25-34.5-2

Sec. 1. The board shall charge and collect the following fees:

Application for licensure	\$50
Biennial renewal of licensure	\$50
Verification of licensure	\$10
Duplicate wall license	\$10
Temporary permit	\$25

Renewal of temporary permit	\$10
Student permit	\$25

Board Action: After review and having considered the costs and requirements imposed on small businesses pursuant to IC 4-22—2.5-3.1(c), a motion was made and seconded to make a recommendation to the Indiana Medical Licensing Board to readopt 844 IAC 11-2-1.1.

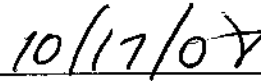
Konkle/Park-Teelon
Motion carried 3-0-0

XV. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Respiratory Care Committee adjourned at 1:30 p.m.



Thomas Konkle, Chairman



Date